

REMARKS

Claims 1-4, 7-8, 27 and 34 are all of the claims presently pending in the application. Claims 1-2 have been amended to further define the claimed invention. Claim 34 has been added to claim additional features of the claimed invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 21-23 stand rejected under 35 U.S.C. § 112, second paragraph. Claims 28-33 stand rejected under 35 U.S.C. § 112, second paragraph. Claims 1-10 and 21-33 stand rejected under 35 U.S.C. § 112, first paragraph. Claims 28-33 stand rejected under 35 U.S.C. § 112, first paragraph.

Claims 1-10 and 21-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Anzai (U.S. Patent No. 5,923,933) combined with Japanese Patent No. 2000-267338.

However, Applicant would respectfully submit that Anzai would not have been combined with JP '338, and moreover that neither Anzai, nor JP '338, nor any alleged combination teaches or suggests the claimed invention.

Specifically, Applicant would submit that neither Anzai, nor JP '338, nor any alleged combination thereof teaches or suggests "*wherein said developing said electrostatic latent image comprises selecting said toners having said shape coefficients SF1 and SF2 such that an excessive stress is prevented from being applied to said developing agent between said first and second developing rollers and a developing agent distributing member formed between said first and second developing rollers, to restrict an occurrence of photographic fog*", as recited for example, in claims 1 and 2.

Indeed, with respect to Anzai, Applicant would point out that Anzai (USP 5,923,933) recites that "the range of S2 capable of obtaining an allowable image to S1=1.5 is $1.5 \leq S2 \leq 3.5$ ", preferably $2 \leq S2 \leq 3$." (e.g., Anzai at lines 23-25 at column 12.) According to Fig. 2, it is clear that the range of S2 is $2 \leq S2 \leq 2.5$ more preferably. For example, note that good condition (indicating by O) and slightly good condition (indicating by □) are mixed in case of S2=1.5.

To the contrary, in the description of the claimed invention, when S2 is set equal to or more than 2, the peripheral speed of the photosensitive body is high and thus the number of rotations of the second developing roller 62 may deviate from the allowable range, which increases the damage of the toners and developing agent. For this reason **the upper limit value of the peripheral speed ration S2 is set at 2 in the claimed invention.** (e.g., see Application at line 13 at page 16 to line 5 at page 17.) Thus, in the exemplary embodiments of the claimed invention, S2 is set to be preferably 0.5 to 2.0.

In addition, Applicant notes that JP '338 relates to toner-shape coefficients SF1 and SF2 which broaden allowable range of fixing temperature without offset. To the contrary, according to the description of the claimed invention, a shape coefficient SF1 is set **to be a range from 120 to 170**. A shape coefficient SF2 is set to be a range from 110 to 130 a life of the developing can be maintained by using a toner having the shape coefficients SF1 and SF2, especially in a high speed area. The good cleaning property also can be obtained. (Please see the description at page 22).

Moreover, as noted above, Anzai would not have been combined with JP '338 as alleged by the Examiner. Indeed, Anzai discloses that when a toner having a small abrasion effect is used, the charging stability of the toner is decreased, and, as a result, it becomes difficult to obtain a toner having a long lifetime. (e.g., see Anzai at lines 34-38 at column 8). This description indicates that the toner described in Anzai does not solve the problems. Thus, it is not obvious to combine Anzai with JP '338 which describes a shape coefficient SF of toner.

In view of the foregoing, Applicant submits that claims 1-4, 7-8, 27 and 34, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to

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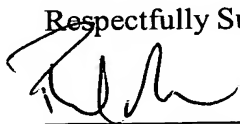
issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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